

## Message Text

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43

ACTION AF-10

INFO OCT-01 ISO-00 PM-03 NSC-05 SP-02 SS-15 RSC-01 L-02

CIAE-00 DODE-00 INR-07 NSAE-00 PA-02 USIA-15 PRS-01

SCCT-01 AID-05 /070 W

----- 012101

R 180928Z NOV 74

FM AMEMBASSY MASERU

TO SECSTATE WASHDC 4500

INFO AMEMBASSY GABORONE

AMEMBASSY MBABANE

AMEMBASSY PRETORIA

AMCONSUL CAPETOWN

AMCONSUL DURBAN

AMCONSUL JHANNESBURG

UNCLAS MASERU 1316

EO 11652: NA

TAGS: PINT, LT

SUBJ: LESOTHO TREASON TRIAL

CAPETOWN FOR EMBASSY

REF: MASERU 1291

1. SUMMARY. TREASON TRIAL ADVANCED STEP FURTHER NOV. 14 WITH READING OF INDICTMENT, ENTERING OF NOT GUILTY PLEAS BY ALL 32 ACCUSED, AND OPENING STATEMENT BY PROSECUTION. ACCUSED CHARGED ALTERNATIVELY WITH TREASON, SEDITION, AND VIOLATIONS OF NATIONAL SECURITY ACT. DEFENSE, NOW BOOSTED BY SENIOR COUNSEL FROM JOHANNESBURG, SOUGHT AND GAINED POSTPONEMENT UNTIL NOV. 25 TO ALLOW FURTHER TIME TO PREPARE. PROSPECTS ARE FOR LENGTHY AND COMPLICATED TRIAL, IN PREPARATION FOR WHICH PROSECUTION FAR AHEAD OF DEFENSE. END SUMMARY.

2. INDICTMENT FIRST CHARGES ALL 32 DEFENDANTS WITH HIGH UNCLASSIFIED

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TREASON FOR, DESPITE OWING ALLEGIANCE TO KING AND HIS

GOVERNMENT, HAVING COMMITTED HOSTILE ACTS TO OVERTHROW GOVERNMENT. HOSTILE ACTS INCLUDE CONSPIRACY TO ATTACK POLICE STATION TO CAPTURE ARMS AND AMMUNITION AND DAMAGE AND ASSAULTS RESULTING FROM ACTUAL RAIDS. ALTERNATIVE CHARGES ARE SEDITION AND VIOLATION OF INTERNAL SECURITY ACT OF 1967. LAST APPEARS TO BE DECIDEDLY LESSER CHARGE OF CONSPIRING WITH SUBVERSIVE INTENT AND CARRIES MODERATE SENTENCE. ALL 32 ACCUSED PLEADED NOT GUILTY.

3. ANNEX TO INDICTMENT CONTAINS NAMES OF 354 CO-CONSPIRATORS, SOME OF WHOM FLED COUNTRY AND SOME OF WHOM WILL BE CALLED AS WITNESSES. SEVERAL MAY BE CHARGED AT LATER DATE.

4. SENIOR DEFENSE COUNSEL KUNY, JUST RECRUITED FROM JOHANNESBURG, REQUESTED POSTPONEMENT OF CASE UNTIL NOV. 25 TO ALLOW HIM TIME TO PREPARE DEFENSE FOR MULTIPLICITY OF CHARGES INVOLVING GREAT QUANTITY OF FACTUAL MATERIAL. SAID HE HAD SEEN INDICTMENT FOR FIRST TIME PREVIOUS DAY AND, ALTHOUGH HIS JUNIOR COLLEAGUES HAD HAD SIX WEEKS TO PREPARE, DEFENSE NOT READY TO PROCEED. HE ASKED THAT DEFENDANTS NOT BE PREJUDICED BY ILL-PREPARATION OF THEIR CASE. CHIEF JUSTICE MAPETLA, GRANTING POSTPONEMENT, SAID HE WAS MOST CONCERNED TO HAVE LEARNED THAT DEFENSE WHOLLY UNPREPARED AS LATE AS TRIAL OPENING DATE NOVEMBER 12 BUT WILLING TO ALLOW FURTHER POSTPONEMENT IN INTERESTS OF ACCUSED.

5. CROWN MADE OPENING REMARKS, OUTLINING GOVERNMENT'S VERSION OF JANUARY 1974 COUP ATTEMPT. CROWN COUNSEL SAID STAGE SET LATE 1973 WHEN OPPOSITION BASUTOLAND CONGRESS PARTY SCHEDULED ANNUAL GENERAL CONFERENCE DECEMBER 22-26. AT PREPARATORY MEETING PRIOR TO CONFERENCE SENIOR PARTY OFFICIAL KOENYAMA CHAKELA READ LETTER HE SAID HE HAD RECEIVED FROM TANZANIA STATING IT GOL INTENTION TO LAUNCH ONE-PARTY STATE AND KILL BCP LEADERS "ONE BY ONE." PARTY LEADER NTSU MOKHEHLE THEN SAID IT NECESSARY TO TAKE OVER GOVERNMENT BY FORCE. ALL PRESENT AGREED AND "CENTRAL COMMITTEE" OF PARTY LEADERS FORMED TO COORDINATE ACTIVITIES AT LOCAL LEVEL. IT AGREED THAT NTSU MOKHEHLE SHOULD DROP OUT OF SIGHT.

6. DATE FOR ATTACKS ON POLICE STATIONS SET FOR JANUARY 7,  
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1974, WITH ATTACKS TO BE SIMULTANEOUS. GOVERNMENT BELIEVES SOME 400 PERSONS INVOLVED. ATTACK ON MASERU POLICE HEADQUARTERS HEADED OFF WHEN POLICE ARRESTED ONE PLOTTER. PLANNED ATTACKS AT MAPUTSOE AND MOHALE'S HOECK, PREVIOUSLY NOT KNOWN TO EMBASSY, ALSO FAILED TO TAKE PLACE DESPITE PREPARATIONS.

7. ATTACKS AT PEKA, RAKORO, TEYATEYANENG, AND MAPOTENG CARRIED OUT ON SCHEDULE AT 1 A.M. JANUARY 7. PLOTTERS AT

MONONTSA, GOVERNMENT CLAIMS, MISTAKENLY ATTACKED THEIR POLICE STATION AT 1 A.M. JANUARY 8. GOVERNMENT CHARGES SIMILAR PATTERN IN ALL INSTANCES, I.E., PRELIMINARY LOCAL MEETING, RECRUITMENT, FINAL GATHERING BEFORE ATTACK. IN SOME PLACES WITCH DOCTORS TREATED ATTACKERS SO THEY WOULD BE PROTECTED FROM HARM.

8. IN CONCLUSION, SENIOR PROSECUTOR SAID CROWN WOULD ESTABLISH THAT ALL 32 DEFENDANTS RESIDENTS OF LESOTHO AND OWED ALLEGIANCE TO KING AND HIS GOVERNMENT, ALTHOUGH ALL WERE NOT IN COMMUNICATION WITH EACH OTHER BUT HELD COMMON PURPOSE BETWEEN THEM.

9. EXPECTATION IS THAT TRIAL WILL BE LENGTHY DUE TO NUMBER OF CHARGES AND DEFENDANTS. GOVERNMENT'S CASE LIKELY TO REST ON TESTIMONY OF LARGE NUMBER OF WITNESSES. PROSECUTION GIVES IMPRESSION OF BEING WELL PREPARED WITH FACTUAL DETAIL, CLEARLY FAR AHEAD OF DEFENSE.  
HAUGHT

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## Message Attributes

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